

**FILED**

SEP 11 2009

JUDGE JESSICA R. MAYER

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*Attorneys for Defendants*

*Astrazeneca Pharmaceuticals LP,  
Astrazeneca LP, Astra USA Inc., Zeneca  
Inc. and KBI Sub Inc.*

DAULTON PILCHER AND SHARON  
PILCHER,

Plaintiffs,

v.

ASTRAZENECA PHARMACEUTICALS  
LP; ASTRAZENECA LP; ASTRA USA,  
INC.; KBI SUB, INC.; ZENECA, INC.;  
ASTRA USA HOLDINGS  
CORPORATION; ASTRAZENECA, AB;  
ASTRAZENECA, PLC; and  
ASTRAZENECA, UK LIMITED; JOHN  
DOE(S) 1 through 20; and JANE DOE(S)  
1 through 20,

Defendants.

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION: MIDDLESEX COUNTY

:  
: DOCKET NO. MID-L-4669-09

:  
: CIVIL ACTION

:  
: In Re Risperdal/Seroquel/Zyprexa Litigation  
: Case No. 274

:  
: **ORDER OF DISMISSAL OF PLAINTIFF'S**  
: **COMPLAINT WITHOUT PREJUDICE FOR**  
: **FAILURE TO SERVE A LONG FORM**  
: **PLAINTIFF FACT SHEET PURSUANT TO**  
: **CASE MANAGEMENT ORDER NOS. 4**  
: **AND 4A.**

**THIS MATTER** having been brought before the Court by McCarter & English, LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Zeneca Inc., KBI Sub Inc., and Astra USA, Inc. (collectively "AstraZeneca") to dismiss plaintiffs' Complaint without prejudice for failure to serve a Long Form Plaintiff Fact Sheet pursuant to Case Management Order No. 4 ("CMO 4") and Case Management Order No. 4A ("CMO 4A"), such dismissal without prejudice being authorized by Case

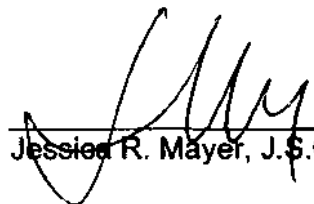
Management Order No. 20 ("CMO 20"), and the Court having considered the papers submitted, and for good cause shown;

IT IS on this 11<sup>th</sup> day of September, 2009;

**ORDERED** that AstraZeneca's motion is hereby **GRANTED** and that plaintiffs' Complaint is **DISMISSED WITHOUT PREJUDICE** as to all parties - served and unserved - pursuant to CMO 4, § II.G, and CMO 4A, § II.H.1 (a-c); and it is further

**ORDERED** that a signed copy of this Order be served on all counsel within seven (7) days of the date hereof; and it is further

**ORDERED** that upon being served with the within order of dismissal without prejudice, plaintiffs' counsel shall forthwith serve a copy of this order on the plaintiffs by regular and certified mail, return receipt requested, accompanied by a notice in the form prescribed by Appendix II-R of the New Jersey Rules of Court, specifically explaining the consequences of failure to serve a materially Completed Long Form PFS (which must include properly executed Authorizations and Acknowledgement) and to file and serve a timely motion to restore.

  
\_\_\_\_\_  
Jessica R. Mayer, J.S.C.

  X   Unopposed

\_\_\_\_\_ Opposed

"Having reviewed the above motion, I find it to be meritorious on its face and is unopposed. Pursuant to B. 1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers."

Dated: